



United States Department of the Interior

BUREAU OF LAND MANAGEMENT FILLMORE FIELD OFFICE

35 East 500 North
Fillmore, UT 84631
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RECEIVED

JAN 29 2001

DIVISION OF
OIL, GAS AND MINING

IN REPLY REFER TO:

3600

(U-010)

UTU-075889

UTU-078274

January 26, 2001

CERTIFIED MAIL # 7000 0600 0028 5326 2034
RETURN RECEIPT REQUESTED

PHIL LEVIN
PRESIDENT
LEVIN STONE CO INC
PO BOX 95
ASH FORK AZ 86320

Dear Mr. Levin:

On November 13, 2000, we received from you an application to purchase 500 tons of material from the Levin #1 stone quarry, located in the SE $\frac{1}{4}$ of Section 4, T. 18 S. R 13 W. On November 28, 2000, we responded with a letter asking that you remit, within 10 days of receipt, the funds of \$10.00 per ton for all stone, except for the initial 400 ton sample, removed from community pit UTU-078274. You received the letter on December 4, 2000, and we have yet to receive the funds.

A recent inspection revealed that there is approximately 475 tons of palleted material left at the staging area next to the community pit. We estimate that 475 is approximately the tonnage removed above and beyond the 400 ton sample, and as such, none of it should be removed until you have provided an accounting of what was actually mined, and remit the required funds. To remove mineral materials without payment constitutes a trespass with possible civil and criminal penalties.

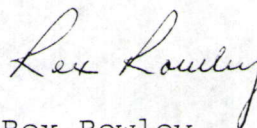
In addition, we will not accept payment for the stone, until a reclamation bond has been submitted for the disturbances Levin Stone created within Community Pit UTU-078274. If, in lieu of

a bond, you wish to pay \$20 per ton of stone in reclamation fees, we will accept that, if the entire 475 tons is purchased.

If we do not receive the required bond and/or funds within 15 days of receipt of this letter, we will consider the project and the stone abandoned, and may sell the palletted stone to recover the reclamation costs of the quarry. Also, we may consider the application to purchase and mine stone at the Spectrum Quarry to have been withdrawn, and may ask the Interior Board of Land Appeals to dismiss the relevant appeal as moot.

If you have any questions, please feel free to contact Jerry Mansfield at (435)743-3125 or Larry Garahana (435)743-3126.

Sincerely,

A handwritten signature in cursive script that reads "Rex Rowley".

Rex Rowley
Field Manager

cc: D. Wayne Hedberg, UDOGM (S/027/086)